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No. 9/5/84-6Lab/8705.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s (I) Asia Foundry, Plot No. 258, Sector 24, Faridabad; (2) Managing Director, M/S. Asia Foundry, C/O M/S. Ranjendra Foundry, Plot No. 32, Jangpura Road, Bhogal, Dehli.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 287 of 1984

between

SHRI JAG PARSHAD, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S (I)ASIA FOUNDARY, PLOT NO. 258, SECTOR 24, FARIDABAD; (II) M/S. MANAGING DIRECTOR, M/S. ASIA FOUNDARY, C/O M/S. RAJENDER FOUNDARY, PLOT NO. 32, JANGPURA ROAD, BHOGAL, DELHI.

Present :

None for the workman.

Shri Deepak Shandalia, Accountant for the respondent-management.

AWARD

This reference has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/14/84/30065-71, dated 13th August, 1984, under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute existing between Shri Jag Parshad workman and the respondent-management of M/s. Asia Foundry, Plot No. 258, Sector 24, Faridabad; (ii) M/S. Managing Director, M/S. Asia Foundry, C/O M/S. Rajendra Foundary, Plot No. 32, Jangpura Road, Bhogal, Delhi. The term of the reference was :—

Whether the termination of services of Shri Jag Parshad was justified and in order ? If not, to what relief is he entitled ?

None is present for the workman inspite of repeated calls. It is 1.00 p.m. Hence the workman is proceeded *ex parte*. In *ex parte* evidence, the respondent management has appeared as MW-1 and stated that the workman has settled his dispute. He has no right of reinstatement/re-employment. The settlement is Ex.M-1.

In view of the statement of the representative of the management, there is no dispute between the parties.

R. N. SINGAL,

Dated the 14th November, 1984.

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 2773, dated the 17th November, 1984.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

No. 9/5/84-6Lab/8706.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute

between the workman and the management of (i) Asia Foundry, Plot No. 258, Sector 24, Faridabad; (ii) Managing Director, M/S. Asia Foundry, C/O M/S. Rajendra Foundry, Plot No. 32, Jangpura Road, Bhogal, Dehli.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 292 of 1984

between

SHRI RAM REKHA, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S. (I) ASIA FOUNDARY, PLOT NO. 258, SECTOR 24, FARIDABAD; (II) MANAGING
DIRECTOR, M/S. ASIA FOUNDARY, C/O M/S. RAJENDER FOUNDARY, PLOT NO.
32, JANG PURA ROAD, BHOGAL, DELHI.

Present :—

None for the workman.

Shri Deepak Shandalia, Accountant for respondent-management.

AWARD

This reference has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his Order No. ID/FD/14/84/30105-11, dated 13th August, 1984, under section 10 (i) (c) of the Industrial Disputes Act, 1947, for adjudication of the industrial dispute existing between Shri Ram Rekha, workman, and the respondent-management of M/S Asia Foundry, Plot No. 258, Sector 24, Faridabad (ii) Managing Director, M/S. Asia Foundary, C/O M/S. Rajendra Foundary, Plot No. 32, Jangpura Road, Bhogal, Delhi. The term of the reference was:—

Whether the termination of services of Shri Ram Rekha was justified and in order ? If not, to what relief is he entitled ?

None is present for the workman inspite of repeated calls. It is 1.00 p. m. Hence the workman is proceeded *ex parte*. In *ex parte* evidence, the respondent-management has appeared as MW-1, and stated that the workman has settled his dispute. He has no right of reinstatement/re-employment. The settlement is Ex.M-1.

In view of the statement of the representative of the management there is no dispute between the parties.

Dated, the 14th November, 1984.

R. N. SINGAL,
Presiding Officer,
Labour Court
Faridabad.

Endst. No. 2773, dated 27th November, 1984.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,
Presiding Officer,
Labour Court,
Faridabad.

No. 9/5/84-6Lab/8703.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Asia Foundary, Plot No. 258, Sector 24, Faridabad (2) Managing Director, M/s. Asia Foundary, C/o M/s. Rajendra Foundary, Plot No. 32, Jangpura Road, Bhogal, Delhi.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 276 of 1984

between

SHRI CHATURI WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S (I) ASIA FOUNDARY PLOT NO. 258, SECTOR 24, FARIDABAD, (II) MANAGING DIRECTOR, M/S ASIA FOUNDARY, C/O M/S. RAJENDER FOUNDARY, PLOT NO. 32, JANGPURA ROAD, BHOGAL DELHI.

Present :—

None for the workman.

Shri Deepak Shandalia, Accountant for the respondent management.

AWARD

This reference has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/14/84/29977-83, dated 13th August, 1984, under Section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute existing between Shri Chaturi, workman, and the respondent management of M/s. Asia Foundary, Plot No. 258, Sector 21, Faridabad, (ii) M/s. Managing Director, M/s. Asia Foundary, C/o M/s. Rajendra Foundary, Plot No. 32, Jangpura Road, Bhogal, Delhi. The term of the reference was:—

Whether the termination of service of Shri Chaturi was justified and in order? If not to what relief is he entitled?

None is present for the workman inspite of repeated calls. It is 1.00 p. m. Hence the workman is proceeded *ex parte*. In *ex parte* evidence, the respondent-management has appeared as MW-1 and stated that the workman has settled his dispute. He has no right of reinstatement/re-employment. The settlement is Ex. M-1.

In view of the statement of the representative of the management, there is no dispute between the parties.

R. N. SINGAL,

Dated the 14th November, 1984.

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 2790, dated the 27th November, 1984.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

The 12th December, 1984

No. 9/5/84-6Lab./8782.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/S.A. K. Industries, M.I.E., Bahadurgarh.

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK.

Reference No. 43 of 1983.
Between

SHRI DINA NATH, WORKMAN AND THE MANAGEMENT OF M/S A. K. INDUSTRIES, M.I.E.,
BAHADURGARH.

Present :—Shri Dhan Singh, A.R. for the workman.

Shri M.M. Kaushal, A.R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Dina Nath and the management of M/s. A. K. Industries, M. I. E., Bahadurgarh, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. ID/RTK 52/83/20894-99, dated 4th May, 1983 :—

Whether the termination of services of Shri Dina Nath was justified and in order?
If not, to what relief is he entitled?

2. On receipt of the order reference, usual notices were issued to the parties. The parties appeared. The workman alleged that he was employed with the respondent since November, 1981, on monthly

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wages of Rs. 340 and that he was employed in the gauging department and that his services were unlawfully terminated by the management on 10th October, 1982 in flagrant disregard with provisions of the Industrial Disputes Act, 1947.

3. A reply was filed by the respondent completely controverting the claim of the petitioner. I need not discuss the pleas taken by the respondent, because this reference is being answered on grounds other than merits.

4. Before the issues could be framed, a settlement was arrived at between the parties, where under the workman have been paid in full and final settlement of his claim and as such the workman is not interested in prosecution of the reference. So, now, no controversy survives for adjudication. the reference is answered and returned accordingly. There is no order as to cost.

Dated 20th November, 1984.

B. P. JINDAL,

Presiding Officer,

Labour Court, Rohtak.
Camp Court, Bahadurgarh.

Endst. No. 4383/3690, dated 26th November, 1984.

Forwarded (four copies) to the Secretary to Government Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B.P. JINDAL,

Presiding Officer,

Labour Court, Rohtak.
Camp Court, Bahadurgarh.

No. 9/5/84-6Lab/8783—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s Jay Dinesh Rolling Mills, M.I.E., Bahadurgarh.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 45 of 1983

Between

SHRI RAMDEV SINGH, WORKMAN AND THE MANAGEMENT OF M/S JAY DINESH ROLLING MILLS, M. I. E., BAHADURGARH.

Present—

Shri Dhan Singh A. R. for the workman.

None for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Ramdev Singh and the management of M/s. Jay Dinesh Rolling Mills, M. I. E., Bahadurgarh to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. ID/RTK/51/83/20908-13, dated 4th may, 1983.

Whether the termination of service of Shri Ramdev Singh was justified and in order ? If not, to what relief is he entitled ?

After receipt of the order of reference, notices were issued to the parties. The workman appeared through Shri Dhan Singh his authorised representative. The respondent inspite of service did not put in appearance through any Authorised Representative and as such *ex parte* proceedings order was passed against respondent on 22nd October, 1984.

3. The case of workman is that he was employed with the respondent since 1st January, 1980 on monthly wages of Rs. 600 and that his services were unlawfully terminated by the management on 1st October, 1982 after giving a complete go-bye to the provisions of the Industrial Disputes Act, 1947.

4. As already observed the management was proceeded *ex parte* by me, —vide order dated 22nd October, 1984.

5. In *ex parte* evidence the workman appeared as his own witness and made a statement completely in corroboration of the allegations made in the demand notice. So, I need not suffer repetition. I, see no reason to disbelieve the unrebutted testimony of the workman and hold that the management terminated the services of the workman without complying with the provisions of section 25F of the Industrial Disputes Act, 1947 and as such illegal termination cannot be sustained. So the workman is ordered to be reinstated with continuity of service and full back wages. There is no order as to cost.

Dated the 20th November, 1984.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.
Camp Court, Bahadurgarh.

Endst. No. 4583/3691, dated the 26th November, 1984

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.
Camp Court, Bahadurgarh.

No. 9/5/84-6Lab/8784.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Bee Cee Steel Rolling Mills MIE, Bahadurgarh :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 129 of 1983

between

SHRI RANBIR SINGH, WORKMAN AND THE MANAGEMENT OF M/S BEE CEE STEEL
ROLLING MILLS, MIE BAHADURGARH

Present :—

Workman in person, with Shri Dhan Singh his A.R.

None for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Ranbir Singh and the management of M/s Bee Cee Steel Rolling Mills, MIE Bahadurgarh, to this court, for adjudication—*vide* Labour Department Gazette Notification No. ID/RTK/105/83/45164-69, dated 2nd September, 1983 :—

Whether the termination of service of Shri Ranbir Singh was justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were issued to the parties. Representative for the workman appeared but the management did not appear. Notice was again sent to the management. On one hearing Shri M. M. Kaushal appeared for the management but later on absented and as such *ex parte* proceedings order was passed against the management on 19th September, 1984.

3. The case of the workman is that he was employed with the respondent since 1st January, 1977 and that the management was piqued against him because of his union activities and as such his services were unlawfully terminated on 29th October, 1982 in complete disregard of the provisions of the Industrial Disputes Act, 1947.

4. After appearance, the workman filed claim statement, which is consonance with the demand notice.

5. In *ex parte* evidence the workman appeared as his own witness and made a statement completely in corroboration of the allegations made in the demand notice and as such, I, need not suffer repetition. I, see no reason to disbelieve the unrebutted statement of the workman and hold that the management unlawfully terminated the services of the workman without complying with the provisions of section 25F of the Industrial Disputes Act, 1947 and as such the order of termination cannot be sustained. So, the workman is ordered to be reinstated forthwith continuity of service and full back wages. There is no order as to cost.

Dated the 20th November, 1984

B. P. JINDAL,

Presiding Officer,

Labour Court, Rohtak,
Camp Court, Bahadurgarh.

Endorsement No. 129-83/3692, dated 26th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,

Labour Court, Rohtak,
Camp Court, Bahadurgarh.

The 20th December, 1984

No. 9/5/84-6Lab/8796—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Neo Casting Sector-24, N. I. T. Faridabad : —

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 35/1984

between

SHRI RAMESH CHANDER MISHRA WORKMAN AND THE MANAGEMENT OF M/S NEO CASTING
SECTOR-24, FARIDABAD

Present — None

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Ramesh Chander Mishra workman and the management of M/s Neo Casting Sector-24 to N. I. T. this Faridabad to this Tribunal, for adjudication : —

Whether the termination of service of Shri Ramesh Chander Mishra was justified and in order ?
If not, to what relief is he entitled ?

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Notices were issued to both the parties. It may be mentioned that on the last date of hearing, none was present on behalf of the both the parties even though they were represented previously and as such *ex parte* proceedings were ordered against them. It appears that both the parties are not interested in the reference. The award is passed accordingly.

R. N. BATRA,

Dated the 30th November, 1984.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 1432, dated the 30th November, 1984.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. BATRA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9/5/84-6 Lab/3798.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s The New Casting, Plot No. 363, Sector 24, Faridabad.

BEFORE SHRI R.N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 12/1984

between

SHRI SURENDER PARSHAD, WORKMAN AND THE MANAGEMENT OF M/S
NEW CASTING, PLOT NO. 363, SECTOR 24, FARIDABAD

Present :—

None

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Surender Parshad workman and the management of M/s New Casting Plot No. 363, Sector 24, Faridabad, to this Tribunal, for adjudication:—

Whether the termination of service of Shri Surender Parshad was justified and in order ? If not, to what relief is he entitled ?

Notices were issued to both the parties. It may be mentioned that none was present on behalf of the parties in spite of service and as such *ex parte* proceedings were ordered against them. It appears that both the parties are not interested in the reference. The award is passed accordingly.

Dated 30th November, 1984.

R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 1434, dated 30th November, 1984.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.